IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED **CENTRAL FAX CENTER**

JAN 1 6 2009

APPLICANT: Flock et al.

FILED: September 25, 2003

SERIAL NO.: 10/670,618

FOR: Microsurgical Tissue

Treatment System

999999999 3767

EXAMINER:

ART UNIT:

Witczak, Catherine

DOCKET: D6476

MS Non-Fee Amendment Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

I certify that this Response to Office Action and Form PTO 2038 was transmitted via facsimile

to Examiner C. Witczak at 571-273-8300 on the date below:

RESPONSE AND AMENDMENT UNDER 37 C.F.R. 1.111

Dear Sir:

In response to the Office Action mailed September 3, 2008 for the above-referenced application, please enter the following amendments and consider the following remarks. Reconsideration of the pending claims is requested.

Respectfully submitted,

ADLER & ASSOCIATES

8011 Candle Lane Houston, Texas 77071

Tel: (713) 270-5391 Fax: (713) 270-5361

Ben@adlerandassociates.com

Registration No. 35,423 Counsel for Applicant